IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1928 OF 2006

M/s.Ford Rhodes,Parkes & Co... ... Petitioner.

Versus

Bank of Baroda and Others..... .... Respondents.

Mr.Manisha Panti i/by M/s. Bhave & Co.,
for the Petitioner.

None for the Respondents.

CORAM : R. M. LODHA, and
SMT.NISHITA MHATRE, JJ.

DATED : 12TH JANUARY, 2007.

P.C.:

We heard the Counsel for the petitioner.

2. The order impugned in the writ petition is an interim order pending appeal before the appellate authority under Section 9 of the Public Premises and Eviction of Unauthorised Occupants Act, 1971. During the pendency of the appeal, the appellate authority has directed the petitioner to pay a sum of Rs.10,00,000/- to the respondent no.1 bank within five

weeks therefrom. The direction to the petitioner to pay the sum of Rs.10,00,000/- is eminently fair and reasonable as the Estate Officer has assessed the damages in the sum of Rs.62,93,750/- for the period upto 30th January, 2006. The impugned order does not call for any interference.

3. At this stage, Counsel for the petitioner requested that amount of Rs.10,00,000/- may be permitted to be paid in two instalments. We accede to the request of the Counsel for the petitioner and direct that the sum of Rs.10,00,000/- to be paid by the petitioner to the respondent no.1 shall be paid in two instalments; first instalment of Rs.5,00,000/- shall be paid on or before 15th February, 2007 and the second instalment of Rs.5,00,000/- shall be paid on or before 15th March, 2007.

4. Writ petition stands disposed of.

Sd/-

(R. M. LODHA, J.)

Sd/-

(SMT.NISHITA MHATRE, J.)